

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

JUN 19 2003

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte DAVID J. BAILLARGEON, THOMAS R. FORBUS, JR.,  
KENNETH R. GRAZIANI, GRETCHEN R. HALL,  
NANACY M. PAGE, and RICHARD F. SOCHA

Application No. 09/498,793

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 29, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 16, 2002, appellants filed an Information Disclosure Statement (IDS) (Paper No. 10). It is not clear from the record whether the examiner considered the IDS submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) consideration of the Information Disclosure Statement (Paper No. 10); 2) appropriate notification by the examiner to appellants of such consideration; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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KJ/tdl/mh  
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